

3-17-08

7/2/X



EXPRESS MAIL LABEL NO. EV 912287739 US

PATENT APPLICATION

Docket No: 13915.75.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Paul L. Hickman

Serial No.: 10/751,334

) Art Unit

) 3764

Confirmation No.: 7600

Filed: December 30, 2003

For: EXERCISE SYSTEM AND METHOD
WITH VIRTUAL PERSONAL TRAINER
FOREWARNING

Customer No.: 022913

Examiner: Glenn E. Richman

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

03/18/2008 ATRINH 00000017 10751334
01 FC:1006 100.00 OP

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

Please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 14th day of March 2008.

Respectfully submitted,

/J. Dustin Howell/ Reg. # 60701
J. DUSTIN HOWELL

Attorney for Applicant
Registration No. 60,701
Customer No. 022913

JDH:jbe
W:\13915\75.2\JBE0000012204V001.doc



PATENT APPLICATION
Docket No: 13915.75.2



re application of:

	Paul L. Hickman)	
)	
Serial No.:	10/751,334)	Art Unit
)	3764
Confirmation No.:	7600)	
)	
Filed:	December 30, 2003)	
)	
For:	EXERCISE SYSTEM AND METHOD)	
	WITH VIRTUAL PERSONAL TRAINER)	
	FOREWARNING)	
)	
Customer No.:	022913)	
)	
Examiner:	Glenn E. Richman)	

**TRANSMITTAL FOR SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement, which includes the following statements, if any, required variously by 37 C.F.R. § 1.98:

- Statement of relevance of selected cited references not in the English language which are not translated.
- Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.
- Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

- ☒ Form PTO-1449 listing 139 references submitted for consideration.
- ☒ Copies of 31 of the references listed on the Form PTO-1449.
- ___ English translations of _____) of the references listed on the Form PTO-1449 which are not in the English language.
- ___ Copies of the following documents from the prosecution of a previous, related application:
- ___ Form PTO-1449 AND INFORMATION DISCLOSURE STATEMENT; and
- ___ Form PTO-892

B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement

The transmitted Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

- I. ___ Prior to the latter of either three (3) months following the filing date or the mailing of a first Office Action. Accordingly, no materials other than those listed above are enclosed.
- II. ☒ Following the latter of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed:
- ☒ Credit Card Payment Form in the amount of \$180.00;
- ___ Promptness Certification; or
- ___ Check No. _____ in the amount of _____ constituting the submission fee set forth in 37 C.F.R. § 1.17(p).
- III. ___ After the mailing of a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:
- ___ Promptness Certificate;
- ___ Petition for Consideration; and
- ___ Check No. _____ in the amount of _____ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).
- IV. ___ After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

___ Petition to Withdraw from Issue; and

___ Check No. _____ in the amount of _____ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

C. Fees

The Commissioner is hereby authorized to charge payment of or any deficiency in the following fees associated with this communication, or to credit any overpayment thereof, to Deposit Account No. 23-3178. A duplicate copy of this letter is enclosed.

X Any fee required in relation to filing of this letter or any documents transmitted therewith.

___ The submission fee set forth in 37 C.F.R. § 1.17(p) in the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that any Promptness Certificate submitted meets the requirements of 37 C.F.R. § 1.97(e).

___ The submission fee set forth in 37 C.F.R. § 1.17(p).

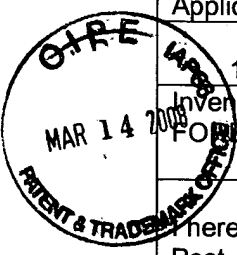
___ The petition fee set forth in 37 C.F.R. § 1.17(i)(1).

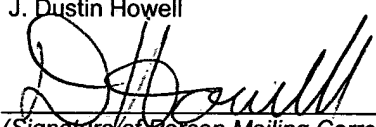
Dated this 14th day of March 2008.

Respectfully submitted,

/J. Dustin Howell/ Reg. # 60701
J. DUSTIN HOWELL

Attorney for Applicant
Registration No. 60,701
Customer No. 022913



CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)				Docket No. 13915.75.2	
Applicant(s): Paul L. Hickman					
Serial No. 10/751,334	Filing Date December 30, 2003	Confirmation No. 7600	Examiner Glenn E. Richman	Group Art Unit 3764	
Invention: EXERCISE SYSTEM AND METHOD WITH VIRTUAL PERSONAL TRAINER FOR REWARNING					
I hereby certify that the following are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450: Transmittal For Supplemental Information Disclosure Statement (3 pages) (in duplicate) Supplemental Information Disclosure Statement (2 pages) Form PTO-1449 (9 pages) Copies of references as listed on PTO-1449 Credit Card Payment Form in the amount of \$180.00 Postcard					
<div style="text-align: right;">J. Dustin Howell  (Signature of Person Mailing Correspondence)</div> <div style="text-align: right;">EV 912287739 US ("Express Mail" Mailing Label Number)</div> <div style="text-align: right;">March 14th, 2008 (Date of Deposit)</div>					
JDH:jbe W:\13915\75.2\JBE0000012206V001.doc					